

A RESOLUTION

Councilmember Derrick Boazman

03-R-1970

A Resolution for the Protection of Citizens' Civil Liberties and Civil Liberties; instructing the Atlanta/Fulton County Library Board and the City Attorney to submit certain information to the City Council bi-annually; and for other purposes

WHEREAS the City of Atlanta is proud of its long and distinguished tradition of protecting the civil rights and liberties of its residents;

WHEREAS federal, state and local governments should protect the public from terrorist attacks such as those that occurred on September 11, 2001, but should do so in a rational and deliberative fashion to ensure that any new security measure enhances public safety without impairing constitutional rights or infringing on civil liberties;

WHEREAS the City Council of Atlanta believes that there is no inherent conflict between national security and the preservation of liberty – Americans can be both safe and free;

WHEREAS federal policies adopted since September 11, 2001, including provisions in the USA PATRIOT Act (Public Law 107-56) and related executive orders, regulations and actions threaten fundamental rights and civil liberties; and

WHEREAS these new powers pose a particular threat to the civil rights and liberties of the residents of our city who are Arab, Muslim or of South Asian descent; and

WHEREAS many other communities throughout the country have enacted resolutions reaffirming support for civil rights and civil liberties in the face of government policies that threaten these values, and demanding accountability from law enforcement agencies regarding their use of these new powers;

NOW BE IT THEREFORE RESOLVED that the Atlanta City Council affirms its strong support for fundamental constitutional rights and its opposition to federal measures that infringe on civil liberties; AND

BE IT FURTHER RESOLVED that the Atlanta City Council affirms its strong support for the rights of immigrants and opposes measures that single out individuals for legal scrutiny or enforcement activity based on their country of origin.

BETTER FURTHER RESOLVED that the Atlanta City Council directs the City of Atlanta Police Department to:

1. Refrain from enforcement of federal immigration laws, and refrain from engaging in the surveillance of individuals or groups of individuals based on their participation in First Amendment protected activities,
2. Refrain, whether acting alone or with federal or state law enforcement officers, from collecting or maintaining information about the political, religious or social views, associations or activities of any individual or group UNLESS such information directly relates to a criminal investigation,
3. Refrain from undertaking or participating in any initiative, such as the Terrorism Information and Prevention System (TIPS), that encourages members of the general public to spy on their neighbors, colleagues or customers;
4. Refrain from the practice of stopping drivers or pedestrians for the purpose of scrutinizing their identification documents without particularized suspicion of criminal activity; AND

BE IT FURTHER RESOLVED That the Atlanta City Council requests the Director of the Atlanta-Fulton County Library Commission notify and warn all library users that their personal library records may be obtained by the federal government under the USA PATRIOT Act

BE IT FURTHER RESOLVED that the Atlanta City Council directs the City Attorney to transmit to the Atlanta City Council no less than once every six (6) months a summary of information obtained pursuant to the AUSA PATROIT ACT (Public Law 107-56) and based on such information any other relevant information, and assessment of the effect of federal anti-terrorism efforts on Atlanta residents.

BE IT FURTHER RESOLVED that the Atlanta City Council directs the Municipal Clerk to transmit a copy of this resolution to all members of Georgia's Congressional delegation.

BE IT FINALLY RESOLVED that the Municipal Clerk transmit a copy of this resolution to Governor Sonny Perdue and Attorney General Thurbert Baker, and appropriate members of the State Legislature, accompanied by a letter urging them to ensure that State anti-terrorism laws and policies be implemented in a manner that does not infringe on citizens' civil rights and liberties.